

1 Mohammad A. Ebrahimi /Nabila Ebrahimi  
2 370 Mercedes Avenue  
Pasadena, California 91107

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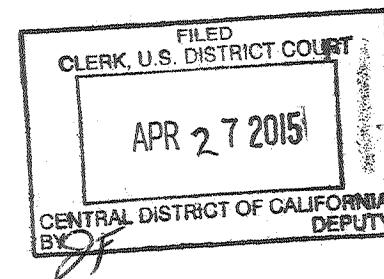
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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MOHAMMAD A. EBRAHIMI, an individual,  
Nabila Ebrahimi

Plaintiff,

v.

CITY OF ARCADIA, a government agency,  
ARCADIA POLICE DEPARTMENT, a  
government agency, and DOES 1 through 20,  
inclusive,

Defendants.

Case No.: LA CV 15 3119  
JVS (OTB)

PLAINTIFF'S COMPLAINT FOR

- (1) EXCESSIVE USE OF FORCE IN  
MAKING ARREST;  
(2) UNLAWFUL ARREST; AND  
(3) BATTERY

TO THIS HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD  
HEREIN:

Mohammad A. Ebrahimi alleges as follows:

PARTIES

1. That at all times mentioned herein, Plaintiff Mohammad A. Ebrahimi ("Plaintiff") was  
and is a resident of the Pasadena, County of Los Angeles, State of California.

2. Plaintiff is informed and believes and upon such information and belief alleges that at all  
times herein the City of Arcadia ("Arcadia") was and is a government agency within the County of Los  
Angeles, State of California.

1       3. Plaintiff does not know the true names and capacities of the defendants sued herein  
2 as DOES 1 through 20 ("DOE Defendants"), inclusive, and therefore sues said DOE Defendants by  
3 fictitious names. Plaintiff is informed and believe and based on such information and belief aver that  
4 each of the DOE Defendants is contractually, strictly, negligently, intentionally, vicariously liable and or  
5 otherwise legally responsible in some manner for the acts and omissions described herein. Plaintiff will  
6 amend this Complaint to set forth the true names and capacities of each DOE Defendant when same are  
7 ascertained.

8       4. Plaintiff is informed and believe and based on such information and belief avers that  
9 Defendants, and each of them, are and at all material times have been, the agents, servants or employees  
of each other, purporting to act within the scope of said agency, service or employment in performing  
the acts and omitting to act as averred herein.

5. Each of the Defendants named herein are believed to, and are alleged to have been acting  
in concert with, as employee, agent, co-conspirator or member of a joint venture of, each of the other

6. Defendants, and are therefore alleged to be jointly and severally liable for the claims set  
forth herein, except as otherwise alleged.

#### JURISDICTION

7. This action arises under Title 42 U.S. Code Sections 1983 and 1988 and the United States  
Constitution. The jurisdiction of this court is invoked under 28 U.S. Code Sections 1331 and 1333. The  
supplemental jurisdiction of this court is also invoked.

20     8. Venue is proper in the Central District of California because all of the acts and omissions  
21 complained of occurred within said District, to wit, within the State of California, County of Los  
22 Angeles.

#### GENERAL ALLEGATIONS

24     9. In or around August 20, 2014, Plaintiff, who is a native of Afghanistan, was approached  
25 by Arcadia police officers as he stood by his vehicle in the Arcadia city limits. The officers told  
26 Plaintiff a call had been made stating Plaintiff had a gun. Plaintiff assured the officers he did not have a  
27 gun and told the officers they could check his car.

28     ///

1       10. Thereafter the officers continued to harass Plaintiff without any cause. Plaintiff asked the  
2 officers to explain why he was being singled out, but was given no answer.

3       11. After the officers checked Plaintiff's vehicle registration they stated there was a  
4 registration problem and the vehicle would have to be impounded. Plaintiff pointed out that he was an  
5 authorized car dealer and the vehicle was being driven legally for a certain number of miles so it could  
6 have the smog check completed and receive the registration in preparation to sell the vehicle. The car  
7 was being driven a certain number of miles at the direction of the service station performing the smog  
8 check. Plaintiff showed the officers the documentation showing the vehicle was being driven legally.

9       12. Notwithstanding the foregoing, the officers proceeded to impound the car. When  
Plaintiff objected, the officers began acting aggressively toward Plaintiff. The officers pushed Plaintiff  
onto the ground causing Plaintiff to hit his face on the concrete. Then, one of the officers stepped on  
the back of Plaintiff's head forcing his face into the ground again while putting handcuffs on Plaintiff  
and placing him under arrest. After hitting his face Plaintiff felt disoriented, as if he had suffered a  
concussion.

13. When the officers picked Plaintiff up off the ground they saw the injury to  
Plaintiff's face. This prompted them to take Plaintiff to the emergency room for examination. After  
being treated and released at the emergency room, the officers stated Plaintiff was not going to be taken  
to jail, but he only needed to go to the police station to get finger printed and questioned.

14. After leaving the emergency room Plaintiff went to the Arcadia police station where he  
20 was finger-printed and submitted to being questioned. While there, Plaintiff again felt the effects of  
21 the head trauma. The officers at the police station called 911 and an ambulance took Plaintiff to the  
22 emergency room once again. Plaintiff was held at the emergency room for treatment and released.

23       15. Since the incident, Plaintiff has suffered from headaches, neck pain, facial pain in  
addition to other effects of the injury caused by the officers.

25       16. The officers' actions were unprovoked and done with a complete disregard for Plaintiff's  
26 health or safety. Plaintiff has suffered physical and other harm, and now seeks relief from the Court.

27       ///

28       ///

## **FIRST CAUSE OF ACTION**

## **EXCESSIVE USE OF FORCE IN MAKING ARREST**

3       17. Plaintiff incorporates herein by reference the allegations made in paragraphs 1 through  
4 16, inclusive, as though fully set forth herein.

5 18. As described above, the officers assaulted, battered, and used excessive force on Plaintiff.  
6 This excessive forced caused Plaintiff to suffer injuries to his head neck and face. Plaintiff is informed  
7 and believes, and thereon alleges the officers committed such acts because Plaintiff is from Afghanistan.

8       19. The foregoing violated plaintiff's right under the Fourth Amendment to be secure in his  
9 person from unreasonable seizures.

20. As a direct and legal result of the foregoing, plaintiff was hurt and injured in his health, strength, and activity, sustaining injury to his body and shock and injury to his nervous system and person, which have caused, and will continue to cause, plaintiff great physical, mental, and emotional pain and suffering, all to his general damage in a sum which will be proven at trial.

21. As a direct and legal result of the foregoing, plaintiff was required to, and did, and will in the future, employ health care practitioners to examine, treat, and care for him, and did, and will in the future, incur medical and incidental expenses, including prejudgment interest.

22. As a direct and legal result of the foregoing, plaintiff has been and will continue to be prevented from attending to his usual occupation, to his further damage in a sum of no less than \$800,000.00.

## **SECOND CAUSE OF ACTION**

## UNLAWFUL ARREST

22 23. Plaintiff incorporates herein by reference the allegations made in paragraphs 1 through  
23 22, inclusive, as though fully set forth herein.

24       24. The Arcadia police officers, without a warrant and without probable cause, arrested  
25 plaintiff in violation of plaintiff's Fourth Amendment right to be secure in his person from unreasonable  
26 seizure and his Fourteenth Amendment right not to be deprived of his liberty without due process of law.

27       25. For the foregoing wrongdoing, Plaintiff is entitled to relief in an amount of no less than  
28 \$800,000.00.

1                   **THIRD CAUSE OF ACTION**

2                   **BATTERY**

3       26. Plaintiff incorporates herein by reference the allegations made in paragraphs 1 through  
4 25, inclusive, as though fully set forth herein.

5       27. As a direct and legal result of the foregoing, plaintiff was hurt and injured in his health,  
6 strength, and activity, sustaining injury to his body and shock and injury to his nervous system and  
7 person, which have caused, and will continue to cause, plaintiff great physical, mental, and emotional  
8 pain and suffering, all to his general damage in a sum which will be proven at trial.

9       28. As a direct and legal result of the foregoing, plaintiff was required to, and did, and will in  
the future, employ health care practitioners to examine, treat, and care for him, and did, and will in the  
future, incur medical and incidental expenses, including prejudgment interest.

29. As a direct and legal result of the foregoing, plaintiff has been and will continue to  
be prevented from attending to his usual occupation, to his further damage in a sum of no less than  
\$800,000.00.

**PRAYER FOR RELIEF**

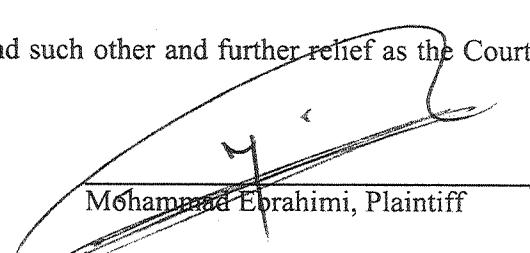
Wherefore, Plaintiff prays for judgment against the Defendants and each of them, jointly and severally,  
as follows:

1. For compensatory, special, general and punitive damages against Defendants in an  
amount of no less than \$800,000.00.

20       2. For civil penalties pursuant to statute, restitution, injunctive relief and reasonable fees  
21 according to proof.

22       3. For reasonable costs of suit and such other and further relief as the Court deems proper.

24 Dated:

  
Mohammad Ebrahimi, Plaintiff

Nabila Ebrahimi

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**Claim for damages**

OCT 6 2014

**(Government code: 910 et.seq)**

**October 03,2014**

**To: City Clark For the city of arcadia**

**Mohammad Amin Ebrahimi & Nabila Ebrahimi**

**370 Mercedes Ave**

**Pasadena ca 91107**

**240 W. Huntington drive**

**Pasadena ca 91107**

Assault, arrest, false report, city of Arcadia police department officer(S) detained and arrested claimant for an alleged violation of penal code section 647(F), public intoxication. During their seizer of his. Arcadia police department officers used unreasonable force on claimant, including but not limited to shooting his the face and electrically shooing his with a taster. During their seizure of his Arcadia police justify their arrest and use of force on clamant, arcadia police department officers also failed to property release claimant from custody and submitted false criminally prosecuted. It is believed that the involved officers have attempted to cover up their misconduct, possibly, or creating false records or reports. In addition , it is believe that their city permits various practices which cause constitutional violation like those in this case, including but not limited to, failing to instate or maintain polices or practice to adequately protect against persons being wrongfully arrested, subjected to excessive force , and /or held in custody: failing to insure that all employee law enforcement officer follow procedures, if any, designed to protect against person being wrongfully arrested , subject to excessive as to prevent incidents such as that complaint of herein; failing to require adequate, appropriate and truthful record keeping so as to prevent incident such as that complained of herein,

On August, 20 2014 on 301 E.Foothill blvd arcadia ca 91106 Mohammad Amin Ebrahimi 7 officer showup 3 officer handcuff me then pushing me down than put his shoes under my face and keep pushing ,and keep pushing under my face. For almost ½ hour,deliver me to Hospital .Took me to Arcadia police Jail book me .Than deliver me back To the Hospital give me tiket& fale Report...

Act or omission causing injuries: city of Arcadia police officers detained and arrested claimant an alleged violation of city of Arcadia police department officer(S) detained and arrested claimant for an alleged violation of penal code section 647(F), public intoxication. During their seizer of his. Arcadia police department officers used unreasonable force on claimant, including but not limited to shooting his the face and electrically shooing his with a taster. During their seizure of his Arcadia police justify their arrest and use of force on clamant, arcadia police department officers also failed to property release claimant from custody and submitted false criminally prosecuted. It is believed that the involved officers have attempted to cover up their misconduct, possibly, or creating false records or reports. In addition , it is believe that their city permits various practices which cause constitutional violation like those in this case, including but not limited to, failing to instate or maintain polices or practice to adequately protect against persons being wrongfully arrested, subjected to excessive force , and /or held in custody: failing to insure that all employee law enforcement officer follow procedures, if any, designed to protect against person being wrongfully arrested , subject to excessive as to prevent incidents such as that complaint of herein; failing to require adequate, appropriate and truthful record keeping so as as to prevent incident such as that complained of herein,

**Name of person causing injuries:**

Mohammad is not ware of all the officers or employee who caused claimant suffers. Responsible include city of Arcadia supervisory injuries including but not limited to those resulting from being shot in face and eccentrically shocked with a teaser ; trauma, emotional distress, upset, humiliation and embarrassment; out-of-pocket costs.

**Amount of money claimed at this time with the jurisdiction of the superior court, above and beyond limited jurisdiction \$800,000.00**

**Metidist Hospital emergency room : witnesses:** all the law enforcement officer who were present for any part of the incident ; claimant; witnesses identified in any of personal who saw or treated claimant in connection with injuries from this include; addresses of such person are currently unknown to claimant.

Notice of waiver of dependence based on defend or omission to government code 911: any defenens based on an asserted insufficiency , defend or omission in this shall be waived by a failure to give notice of the insufficiency pursuant to government code 911.

Mohammad Amin Ebrahimi

10/31/14

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POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  Mohammad Amin Ebrahimi		FOR COURT USE ONLY
TELEPHONE NO.: 626 746 1597 FAX NO. (Optional): 626 746-0631 E-MAIL ADDRESS (Optional): Pasadenaordnear@gmail.com ATTORNEY FOR (Name): IN PRO PER		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF/PETITIONER: Mohammad Amin Ebrahimi	CASE NUMBER:	
DEFENDANT/RESPONDENT: City of Arcadia Police	Ref. No. or File No.:	
PROOF OF SERVICE OF SUMMONS		

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of:

- a.  summons
- b.  complaint
- c.  Alternative Dispute Resolution (ADR) package
- d.  Civil Case Cover Sheet (served in complex cases only)
- e.  cross-complaint
- f.  other (specify documents):

3. a. Party served (specify name of party as shown on documents served):

City of Arcadia

b.  Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):

4. Address where the party was served:

5. I served the party (check proper box)

- a.  by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
- b.  by substituted service. On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):

- (1)  (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
- (2)  (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (3)  (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
- (4)  I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or  a declaration of mailing is attached.
- (5)  I attach a declaration of diligence stating actions taken first to attempt personal service.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	STATE CASE WAS PENDING IN THE COUNTY OF:	
	<input type="checkbox"/> Los Angeles	Western
If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No	If the United States, or one of its agencies or employees, is a party, is it:	
	A PLAINTIFF?  Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT?  Then check the box below for the county in which the majority of PLAINTIFFS reside.
<input checked="" type="checkbox"/> Los Angeles	<input checked="" type="checkbox"/> Los Angeles	Western
<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western

<b>Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)</b>	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b>  <input checked="" type="checkbox"/> 2 or more answers in Column C  <input type="checkbox"/> only 1 answer in Column C and no answers in Column D  Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below.  If none applies, answer question C2 to the right. ➔	<b>C.2. Is either of the following true? If so, check the one that applies:</b>  <input type="checkbox"/> 2 or more answers in Column D  <input type="checkbox"/> only 1 answer in Column D and no answers in Column C  Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below.  If none applies, go to the box below. ➔
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

<b>Question D: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: ➔	

EXHIBIT.....(1).....

ARCADIA POLICE.....

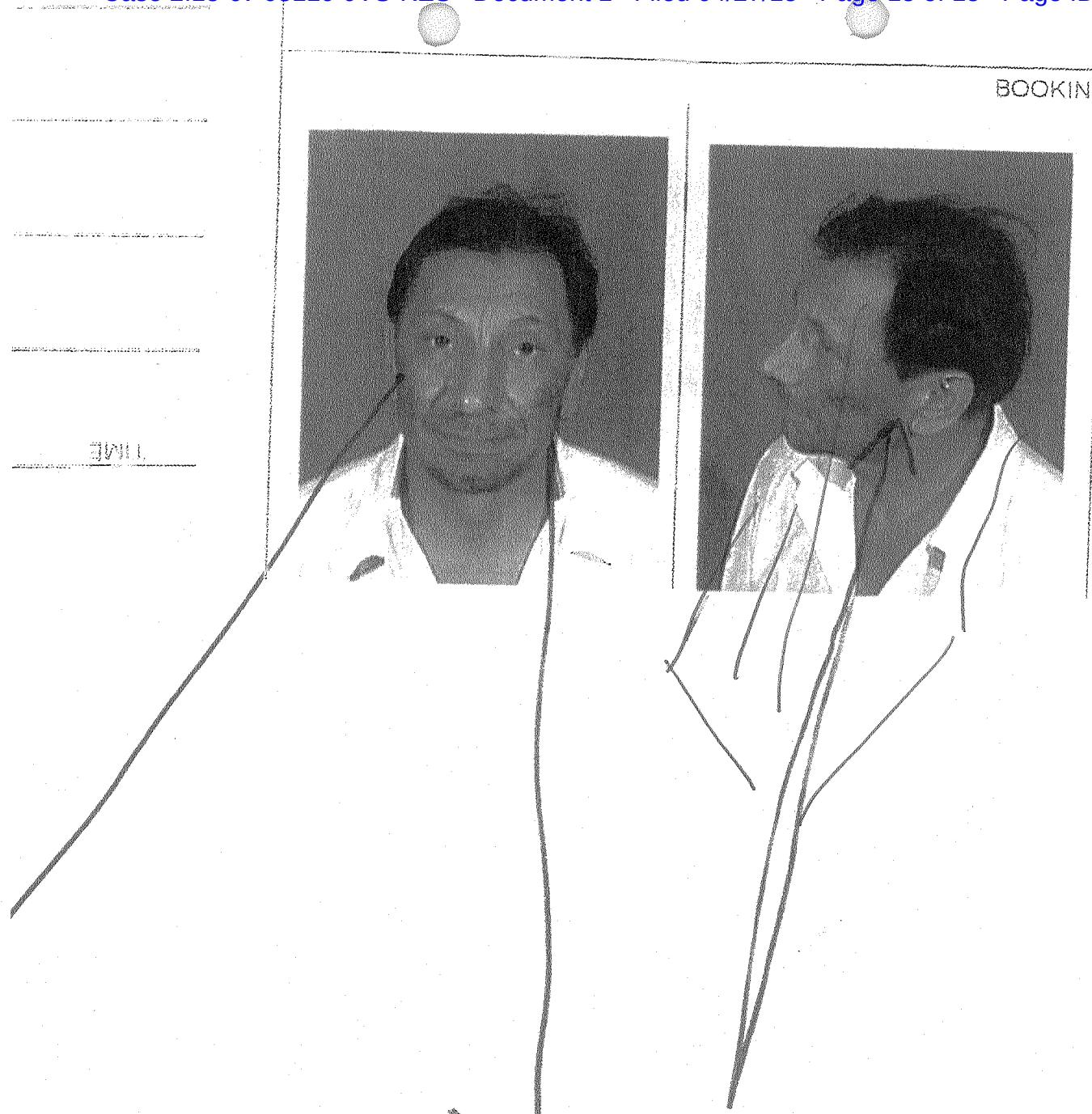


Archie police

ARCadias Police



BOOKING IMAGES



↓ AR cardia police .